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PATENT

Attorney Docket No. 896034605001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re. application of : Elizabeth K. Barber #13
Serial No. : 09/966,264
Filed : September 28, 2001
For : **GENE EXPRESSION CONTROL DNA
ELEMENT AND ASSOCIATED PROTEIN**
Group Art Unit : 1632
Examiner : Unknown

PETITION TO ACCEPT COLOR DRAWINGS

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby petitions the Commissioner to accept color drawings under 37 CFR 1.84 (a) (2) in the above-identified patent application. The Commissioner is hereby authorized to charge the petition fee under 1.17(h) of \$130.00 to the Jones, Day, Reavis & Pogue Deposit Account No. 50-1432, reference 896034-605001.

Applicant respectfully submits that a color drawing is necessary as the only practical medium by which to disclose the differences between the individual curves in Figures 4A, 4B, 4C, 4D, 4E and 4F.

Applicant submits herewith 3 sets of color drawings and also submits a set of the same drawings in black and white that is included in the set of Formal Drawings submitted with the Preliminary Amendment accompanying this Petition. The black and white drawings accurately depict, to the extent possible, the subject matter shown in the color drawings.

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I hereby certify that this correspondence
is being deposited today with the United
States Postal Service as first class mail in
an envelope addressed to: Commissioner for
Patents, Washington, D.C. 20231
on Sept. 12, 2002

By: Sacajawea Oyin

The Specification, as filed, contains the requisite statement regarding the color drawings.

Respectfully submitted,

Barbara E. Arndt

Barbara E. Arndt, Ph.D.
Reg. No. 37,768

Sept. 10/02

Date

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